

NOTED  
JB 7/31/06

In the matter of  
United States Patent  
Application no.  
10/509,098

STATUTORY DECLARATION

I, Bruce Archibald Short, of 61 Kiwi Esplanade, Mangere Bridge, Auckland, New Zealand, company director, do solemnly and sincerely declare:

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1.

I am the managing director and principle shareholder of B A Short Limited (hereinafter referred to as "BAS"), a company registered under the laws of New Zealand. Since 1984 BAS has manufactured attachments for earthmoving machinery, including front end loaders, also known as diggers. The attachments include buckets for front end loaders and so-called 'quick hitches' for the rapid attachment of different implements (including buckets) to front end loaders. BAS also manufactures and repairs attachments and implements of the same kind.

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2.

I have personally been involved in the earthmoving industry continuously since 1960. Initially I carried on a business as an earthmoving contractor through Rewiti Farms Ltd ("Rewiti"). Rewiti was engaged in all types of earthmoving including the construction and maintenance of roads and of the earthworks around building sites, bridges, railway lines and the like. For this work, we owned and operated a variety of machinery including bulldozers, scrapers, motor graders and front end loaders. Initially, due to the fact that the business was small scale, I often personally operated all of these machines and became skilled and experienced at this. Also, from the outset, Rewiti constructed implements to my design for the machines that we used, including buckets for front end loaders and tractor-towed grader blades. Over time the business, particularly the manufacturing section, grew and we began to sell our products to other operators. My time was taken up more in managing Rewiti and designing the products that we built. By 1989 we had virtually stopped

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I, Nicolaas Laurisse Sieling, of Murray-Gwynne Farm, The Coach Road, Mulwala, in the state of New South Wales, Australia, farmer and agricultural contractor, do solemnly and  
10 sincerely declare that:

1. Since 1978 I have made my living continuously as a dairy farmer and agricultural contractor, initially in New Zealand and, since 1996, in Australia. With my wife, I currently own a 600  
15 hectare farm ("my farm") in Mulwala. The farm is operated through a company, Rotacon Engineering Pty Ltd. of which I am managing director and principle shareholder.
2. I believe it true to say that my farm, in common with most farms in Australia and New  
20 Zealand, is highly mechanised. We use the equipment that is normally used in the course of virtually all dairy farming operations. I believe in keeping such equipment up to date and, because I have done so, I believe that I have a good knowledge of the equipment that is currently commercially available.
- 28 3. Much of the equipment on my farm is used only for specialised jobs and stands idle a lot of the time. I believe it true to say that this is the experience of most farmers. For this reason, in order to make greater use of the equipment, I have from the outset carried on an agricultural contracting business in conjunction with each farm that I have operated. As a contractor, I have carried out all jobs normally associated with such businesses, including land levelling.  
30 Because of these activities, as both a farmer and a contractor, I believe that I am well aware of the good points and shortcomings of the equipment that I have used, especially as, much

